

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

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| Application Of Pacific Gas And Electric Company (U 39 M) For Ex Parte Approval Of The 2002 California Alternate Rates For Energy Budget.          | Application 02-04-031<br>(Filed April 18, 2002) |
| In the Matter of the Application of San Diego Gas & Electric Company (U 902-M) for Approval of 2002 CARE Activities and Budget.                   | Application 02-04-034<br>(Filed April 18, 2002) |
| Southern California Edison Company's (U 338-E) Application Regarding California Alternate Rates For Energy Program Funding for Program Year 2002. | Application 02-04-035<br>(Filed April 18, 2002) |
| In the Matter of the Application of Southern California Gas Company (U 904-G) for Approval of 2002 CARE Activities and Budget.                    | Application 02-04-036<br>(Filed April 18, 2002) |

**ASSIGNED COMMISSIONER'S SCOPING MEMO  
AND RULING PURSUANT TO ARTICLE 2.5 OF  
THE RULES OF PRACTICE AND PROCEDURES**

Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE) and Southern California Gas Company (SoCal), collectively referred to as "the utilities," filed the above-referenced applications on April 18, 2002. The applications were consolidated by Administrative Law Judge (ALJ) ruling, dated April 26, 2002.

The Office of Ratepayer Advocates (ORA) and AARP filed comments on the applications.

Rule 4(a) of the Commission's Rules of Practice and Procedure states that Article 2.5 (the SB960 rules) shall apply to any formal proceeding that is filed after January 1, 1998 except for a complaint under Rule 13.2. I am issuing this ruling to meet the scoping memo and other requirements of the SB960 rules and procedures.

In Resolution ALJ-176-3088, the Commission preliminarily determined pursuant to Rule 6.1 that this is a ratesetting proceeding expected to go to hearing.

The assigned Commissioner is Carl Wood, and the assigned Administrative Law Judge (ALJ) is Meg Gottstein.

The assigned Commissioner and ALJ conducted a prehearing conference (PHC) on May 16, 2002.

### **Categorization**

This proceeding was preliminarily categorized as a ratesetting proceeding. The utilities and other parties appearing at the prehearing conference expressed agreement with this categorization. I concur and that is my determination. This represents the ruling on categorization under Rule 6(a)(3), and it may be appealed under Rule 6.4

### **Scoping**

By Decision (D.) 01-05-033, the Commission authorized the utilities to pursue a rapid deployment strategy for their low-income assistance programs, including CARE, and adopted funding levels for that purpose. In doing so, the Commission stated that "the rapid deployment strategy adopted today shall continue until further Commission order." (Ordering Paragraph 19.) No

Commission order has been issued directing the utilities to discontinue or hold back on the rapid deployment of these programs pending the resolution of issues in this proceeding.

In this proceeding, we will address whether the utilities proposed 2002 CARE program expenditures to continue the rapid deployment efforts initiated in D.01-05-033, and the ratemaking treatment for recovering those expenditures, are reasonable.

### **Need for Hearing**

The Commission has preliminarily determined that a hearing is needed. Based on the comments and discussion at the PHC, the parties agree that hearings are unnecessary. ORA and AARP have also clarified that they are not protesting the applications. However, I will defer designating the matters addressed in this decision as uncontested, until I can review comments on the supplemental information discussed below.

### **Supplemental Information and Comments**

By ruling dated April 26, 2002, the assigned ALJ requested supplemental written information on the utilities' ratemaking proposals, which the utilities jointly filed on May 10, 2002. The ALJ questioned utility representatives on these submittals during the PHC. In addition, the ALJ directed the utilities to supplement their applications with additional narrative and tables on their 2002 program expenditure proposals. This supplemental information is due June 4, 2002. Interested parties are given the opportunity to file comments on this supplemental information, i.e., the utilities' May 10, 2002 joint filing, the information disclosed during questioning by the ALJ at the PHC, and the supplemental information to be filed on June 4, 2002. These comments are due June 19, 2002. The utilities have an opportunity to reply by June 26, 2002.

### **Schedule**

I anticipate that a decision will be prepared and placed on the Commission's agenda in August, 2002. In no event will the resolution of this case exceed 18 months from the date the application was filed.

### **Ex Parte Communication and Reporting**

Parties are reminded that ex parte communications are permitted only if consistent with the restrictions set forth in Public Utilities Code Section 1701.3(c) and Rule 7(c) and are subject to the reporting requirements set forth in Rule 7.1

#### **IT IS RULED** that:

1. This is a ratesetting proceeding.
2. This proceeding does not require that hearings be held.
3. The scope of this proceeding is as described in this ruling.
4. The schedule will be as set forth in this ruling.
5. All filings and comments shall be filed at the Commission's Docket Office and served electronically on all appearances and the state service list in this proceeding. Service by U.S. mail is optional, except that one hard copy shall be mailed to Judge Meg Gottstein at P.O. Box 210, Volcano, CA 95689. In addition,

if there is no electronic mail address available, the electronic mail is returned to the sender, or the recipient informs the sender of an inability to open the document, the sender shall immediately arrange for alternate service (regular U.S. mail shall be the default, unless another means—such as overnight delivery—is mutually agreed upon). Parties that prefer a hard copy or electronic file in original format in order to prepare analysis and filings in this proceeding may request service in that form as well. The current service list for this proceeding is available on the Commission's web page, [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

Dated May 30, 2002, at San Francisco, California.

/s/ CARL WOOD

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Carl Wood  
Assigned Commissioner

## **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Scoping Memo and Ruling Pursuant to Article 2.5 of the Rules of Practice and Procedures on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated May 30, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.